

A RESOLUTION BY:

03- R -0848

CITY UTILITIES COMMITTEE

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH MOREHOUSE COLLEGE OR ITS DESIGNEE(S) FOR THE INSTALLATION OF PRIVATE UTILITY FACILITIES CROSSING UNDER PARSONS STREET IN THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.**

WHEREAS, TUFF Morehouse, LLC, and the Brookwood Group, as the Development Manager, are currently developing, for the benefit of and on land owned by Morehouse College, the "Morehouse Student Housing Facility" (the "Development"), two 3 story dormitory buildings for housing 375 undergraduate students; and

WHEREAS, as part of constructing the Development, three 4" PVC Data Ducts (the "Encroachments") are proposed to be installed under Parsons Street, a street in the City of Atlanta, connecting the Development with Morehouse College's Data Network; and

WHEREAS, Brookwood Group has approached the City seeking an Encroachment Agreement allowing the installation of the Encroachments under Parsons Street; and

WHEREAS, the Director of the Bureau of Buildings and the Commissioner of the Department of Public Works have reviewed the plans for the Development and the installation of the Encroachments under Parsons Street, have determined that the plans meet the appropriate technical requirements and believe it to be desirable and in the best interests of the City to authorize the City to execute an Encroachment Agreement allowing the installation of the Encroachments;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**Section 1.** The Mayor is authorized to enter into an Encroachment Agreement, as outlined in Section 138, Article II, of the City's Code of Ordinances, with Morehouse College, or its designee(s), for the installation of the Encroachments under the right-of-way in Parsons Street, in a form and pursuant to conditions determined by the Commissioner of the City's Department of Public Works and the City Attorney to be desirable, appropriate and in the best interests of the City for this transaction.



**Section 2.** That the City Attorney is directed to prepare an Encroachment Agreement in accordance with Section 138, Article II, of the City's Code of Ordinances.

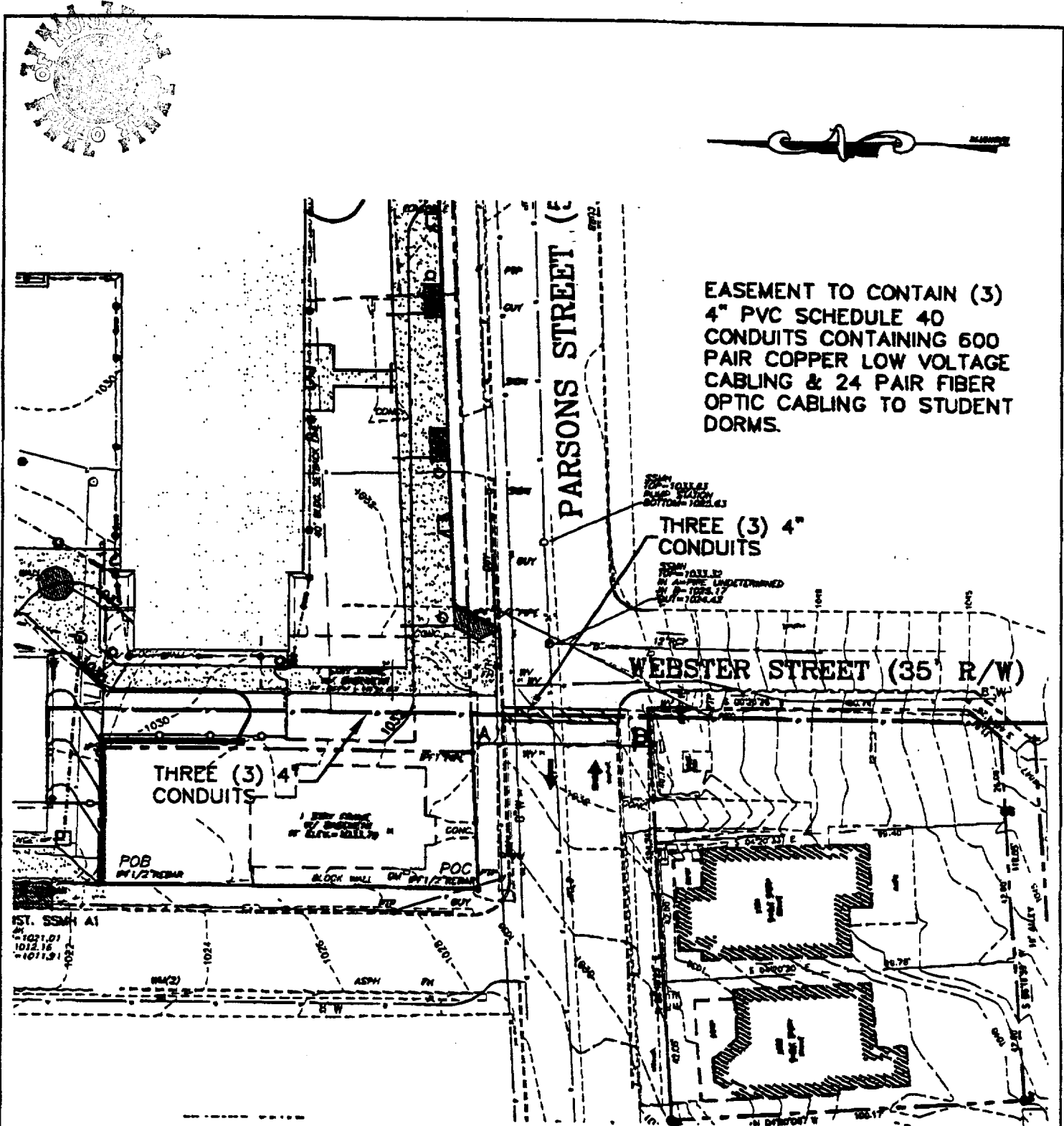
**Section 3.** That the Encroachment Agreement will not become binding upon the City and the City will incur no liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk and delivered to the appropriate parties.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

JUN 16, 2003  
JUN 24, 2003



TEL: 770.452.7849 FAX: 770.452.0086  
3680 NORTH PEACHTREE ROAD  
ATLANTA, GEORGIA 30341  
WWW.EBERLY.NET

LAND PLANNING  
CYCLING/BIKE  
LANDSCAPE ARCHITECTURE

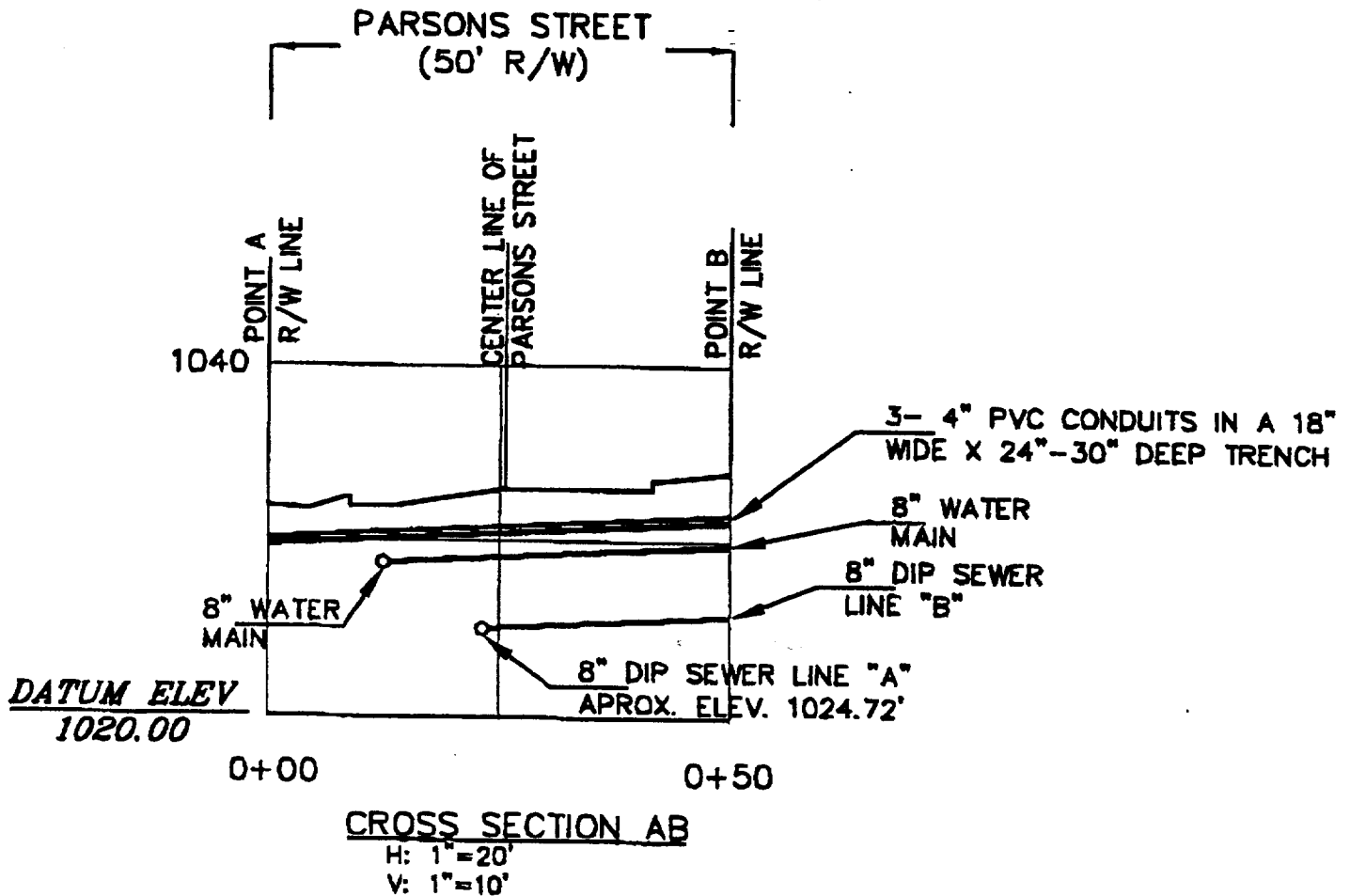
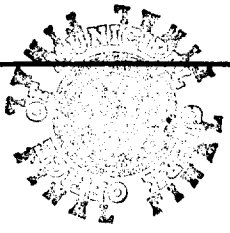
## MOREHOUSE COLLEGE STUDENT HOUSING

14TH DISTRICT  
LAND LOT 109  
CITY OF ATLANTA  
FULTON COUNTY, GEORGIA

CROSS SECTION AB  
JANUARY 29, 2003

SCALE: 1" = 40'

EAI JOB NO. 01-136



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LAND PLANNING  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE

### MOREHOUSE COLLEGE STUDENT HOUSING

14TH DISTRICT  
LAND LOT 109  
CITY OF ATLANTA  
FULTON COUNTY, GEORGIA

CROSS SECTION AB  
JANUARY 29, 2003

SCALE: 1" = 20'

EAI JOB NO. 01-136

RCS# 4836  
6/16/03  
5:03 PM

Atlanta City Council

Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                         03-O-0913; 03-O-0668; 03-O-0669  
                         ADOPT

YEAS:    10  
NAYS:    0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT    2

Y Smith	B Archibong	E Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	NV Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4835  
6/16/03  
5:02 PM

Atlanta City Council

Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                         03-O-0913; 03-O-0668  
                         RECONSIDER

YEAS:            9  
NAYS:            0  
ABSTENTIONS:   0  
NOT VOTING:      4  
EXCUSED:        1  
ABSENT          2

NV Smith	B Archibong	E Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	NV Norwood
Y Young	Y Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4815  
6/16/03  
2:28 PM

Atlanta City Council

Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                         03-O-0913; 03-O-0668  
                         ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	B Maddox	Y Willis
Y Winslow	NV Muller	NV Boazman	NV Woolard

CONSENT I

		6/16/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 03-O-0906 2. 03-O-0911 3. 03-O-0905 4. 03-O-0764 5. 03-O-0914 6. 03-O-0667 7. 03-O-0671 8. 03-O-0839 9. 03-O-0908 10. 03-O-0910 11. 03-O-0912 12. 03-R-0851 13. 03-R-0853 14. 03-R-0854 15. 03-R-0922 16. 03-R-0927 17. 03-R-0928 18. 03-R-0891 19. 03-R-0894 20. 03-R-0921 21. 03-R-0890 22. 03-R-0893 23. 03-R-0895 24. 03-R-0903 25. 03-R-0938 26. 03-R-0848 27. 03-R-0849 28. 03-R-0892 29. 03-R-0918 30. 03-R-0919 31. 03-R-0923 32. 03-R-0924 33. 03-R-0897	34. 03-R-0855 35. 03-R-0856 36. 03-R-0857 37. 03-R-0858 38. 03-R-0859 39. 03-R-0860 40. 03-R-0861 41. 03-R-0862 42. 03-R-0863 43. 03-R-0864 44. 03-R-0865	45. 03-R-0866 46. 03-R-0867 47. 03-R-0868 48. 03-R-0869 49. 03-R-0870 50. 03-R-0871 51. 03-R-0872 52. 03-R-0873 53. 03-R-0874 54. 03-R-0875 55. 03-R-0876 56. 03-R-0877 57. 03-R-0878 58. 03-R-0879 59. 03-R-0880 60. 03-R-0881 61. 03-R-0882 62. 03-R-0883 63. 03-R-0884 64. 03-R-0885 65. 03-R-0886 66. 03-R-0887 67. 03-R-0888

Consent I Vote: 10Yeas; 0Nays: (See RCS #4836)

Items Removed from the Consent Agenda: 03-O-0913; 03-O-0693; 03-O-0668; 03-O-0669; 03-O-0929



03-2-0848

(Do Not Write Above This Line)

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CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN ENCROACHMENT  
AGREEMENT WITH MOREHOUSE COLLEGE  
OR ITS DESIGNEE(S) FOR THE INSTALLATION  
OF PRIVATE UTILITY FACILITIES CROSSING  
UNDER PARSON STREET IN THE CITY OF  
ATLANTA; AND FOR OTHER PURPOSES.

ADOPTED BY

JUN 16 2003

COUNCIL

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)  
Other

Members

Members

Fav, Adv, Hold (see rev. side)  
Other

Date 6/16/03  
Chair Claude Threlkeld

Action

Members  
Refer To  
Committee  
Date  
Chair  
Action  
Fav, Adv, Hold (see rev. side)  
Other  
Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)  
Other

Members

Fav, Adv, Hold (see rev. side)  
Other

Members

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

FINAL COUNCIL ACTION

☐ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☒ Consent

☐ V Vote

☒ RC Vote

CERTIFIED

CERTIFIED  
JUN 16 2003

ATLANTA CITY COUNCIL PRESIDENT

Latoya M. Woodard

CERTIFIED  
JUN 16 2003

Renee Douglas Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

Andy Frank  
JUN 24 2003